

**VILLAGE OF PORT DICKINSON**  
**Village Board Meeting Agenda**  
**May 9, 2023**  
**6:00 pm**  
**Port Dickinson Village Hall**

***Please take a moment to ensure that your cellphones are OFF or SILENCED.***

CALL TO ORDER

PUBLIC HEARING:

APPROVAL OF MINUTES: April 11, 2023 meeting

PUBLIC PARTICIPATION:

TREASURER'S REPORT:

AUDIT & PAYMENT OF CLAIMS #20 (2022-2023)

1. Abstract of Unaudited vouchers for the General Fund for \$13,869.73
2. Abstract of Unaudited vouchers for the Water Fund for \$17,093.20
3. Abstract of Unaudited vouchers for the Sewer Fund for \$63.52

AUDIT & PAYMENT OF CLAIMS #21 (2022-2023)

1. Abstract of Unaudited vouchers for the General Fund for \$27,768.81
2. Abstract of Unaudited vouchers for the Water Fund for \$565.16
3. Abstract of Unaudited vouchers for the Sewer Fund for \$189.00

COMMUNICATIONS:

1. Certificate of Insurance for Weathermaster Roofing Co Inc
2. Certificate of Insurance for Binghamton Slag Roofing
3. Certificates of Liability and Workers Comp Insurance for Johnsons Pools & Spas
4. Certificate of Liability Insurance for Kathleen Calvey, Spirit Song Yoga

TRUSTEE-COMMISSIONER REPORTS:

Administration/Community Association – Robert Warholic, Trustee

Public Works – Michael Cashman, Trustee

Planning –

Public Safety – James DeGennaro, Trustee

Parks, Water & Sewer – Robert Moss, Trustee

*Water/Sewer: \$2945.03 was relieved to 2023-2024 Village taxes*

Zoning Board of Appeals – none

OLD BUSINESS:

1. Short term housing rentals

RESOLUTIONS FOR APPROVAL:

1. Resolution declaring all Fire Department old radio system equipment- 20 pagers, 15 portable radios, 5 mobile radios as surplus.
2. Resolution authorizing the Mayor to sign the Tax Collector's Warrant
3. Resolution scheduling a Public Hearing on 6/13/23 at 6:00PM Proposed Local Law 3-2023, A LOCAL LAW AMENDING CHAPTER 62 OF THE VILLAGE CODE ENTITLED "WATER" TO REQUIRE CONNECTION TO THE WATER SYSTEM AND TO PROHIBIT PRIVATE WELLS
4. Resolution scheduling a Public Hearing on 6/13/23 at 6:00PM on Proposed Local Law 4-2023, A LOCAL LAW AMENDING SECTION 65-36 OF THE VILLAGE CODE REGARDING FEES AND COSTS

NEW BUSINESS/DISCUSSION:

1. Request by Binghamton PreCast for change in reviewing Engineer for their pending project.
2. FOIL request from 10 Beacon St.

ADJOURNMENT

**VILLAGE OF PORT DICKINSON  
LOCAL LAW NO. 3 OF 2023**

**A LOCAL LAW AMENDING CHAPTER 62 OF THE VILLAGE CODE  
ENTITLED “WATER” TO REQUIRE CONNECTION TO THE WATER SYSTEM AND TO  
PROHIBIT PRIVATE WELLS**

Be it enacted by the Board of Trustees of the Village of Port Dickinson as follows:

**Section 1.** A new Section 62-17 of the Village Code entitled “Water Connection Required Where Available” shall be added as follows:

1. Owners or occupants of any and all property fronting or abutting on any street or portion thereof in or upon which any public water main or distributing pipe has been laid shall be required to make and lay connection pipes to and from the water mains or distributing pipes in said street or any portion thereof in front of each separate piece of property within such time and in such manner and under such inspection as the Village shall prescribe, and whenever any such owner or occupant shall have made default in making such connections with said water mains or distributing pipes opposite the lands and premises owned or occupied by him as directed in and required by said printed notice therefor in the manner and within the time specified, the Village shall have power and authority to so make, extend and complete the same and the actual expense thereof, including all labor done and materials used in doing and completing the same, shall be assessed by the Village upon each separate piece of property opposite or upon which the same shall be done and completed and shall be a lien and liens on said premises and lots of land respectively, and the same shall be collected in the same manner as other local assessments or assessments for local improvements as provided by the general village laws of the State of New York, and when so collected the amount thereof shall be paid into the water fund of the village.
2. Private wells are hereby prohibited where connection to the public water system is required pursuant to subsection one hereof.

**Section 2.** Separability

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

**Section 3.** Repealer

All Ordinances, Local Laws and parts thereof inconsistent with the Local Law are hereby repealed.

**Section 4.** Effective Date

This local law shall take effect upon filing with the New York Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**VILLAGE OF PORT DICKINSON  
LOCAL LAW NO. 4 OF 2023**

**A LOCAL LAW AMENDING SECTION 65-36  
OF THE VILLAGE CODE REGARDING FEES AND COSTS**

Be it enacted by the Board of Trustees of the Village of Port Dickinson as follows:

**Section 1.** Section 65-36 of the Village Code entitled “Permit fees” shall be amended as follows:

§ 65-36. Permit fees.

Permit fees for building permits, use and area variance applications, special permits, and site plans shall be set by resolution of the Village Board.

**Section 2.** A new Section 65-36.1 of the Village Code entitled “Reimbursement for Professional Consultants” shall be amended as follows:

§ 65-36.1. Reimbursement for Professional Consultants.

**I. Responsibility for costs**

- A. The Village of Port Dickinson's Village Board, Planning Board, Zoning Board of Appeals, and Code Enforcement Officer, in the review of any application pending before said Boards or Code Enforcement Officer, may refer such application to such engineering, planning, legal, technical or environmental consultant, or professional(s) employed by the Village as employees or consultants, as such Boards shall deem reasonably necessary to enable it to review such application as required by law.
- B. The applicant shall be responsible for the cost of such consultant services.
- C. Charges made by such consultants shall be in accord with charges usually made for such services in the Broome County, New York region or pursuant to an existing contractual agreement between the Village and such consultant. Charges made by the Village shall be in accord with the hourly rates upon which the Village employs such consultant(s), including fringe benefits and reasonable overhead. However, the applicant will not be charged for the following services rendered by professionals employed by the Village:
  - (1) Review by the Village Engineer of preliminary design plans submitted by the applicant and, if required, the second set of design plans and preparation of necessary reports relative thereto.
  - (2) Preparation by the Village Attorney of any required public notices regarding said application.
  - (3) Attendance by the Village Engineer and Village Attorney at any regular or special public meetings of the Village Board, Planning Board or Zoning Board of Appeals.

- D. The Village Treasurer shall refund to the applicant the amount deposited pursuant to § 65-36.1, less any sums expended by the Village to engage the services of attorneys, engineers, and other qualified professionals to provide assistance to the Village's Boards relating to said project (hereinafter the "professional review fees"), excluding those referred to in Subsection C(1), (2), and (3) of this section, unless the applicant fails to obtain any necessary permits for said project within one year from the date of final approval by the Board(s) having jurisdiction over the project.
- E. In the event that an application is required to be reviewed by more than one Board, or a Board and the Code Enforcement Officer, to the extent practicable, the Boards and Code Enforcement Officer shall use the same consultant, who shall, to the extent practicable, prepare one report providing data, information and recommendations requested. Wherever practicable, duplication of consultants' reports or services shall be avoided to minimize the cost of such consultants' reports or services to the applicant. The above fees are in addition to any and all other fees required by any other law, rule or regulation.

## II. Escrow accounts.

- A. At the time of submission of any application that will require professional review services, an escrow account shall be established, from which withdrawals shall be made to reimburse the Village for the costs of said professional review services. The applicant shall provide funds to the Village for deposit into such account in an amount to be determined by the reviewing Board or Code Enforcement Officer, as applicable, with the advice and recommendation of the Village Engineer, Code Enforcement Officer and Stormwater Management Officer, as appropriate, based on the nature and complexity of the application, using the following schedule as a general guideline, with the decision of the reviewing Board or Code Enforcement Officer, as applicable, to be final and conclusive on the applicant:

- (1) For one- and two-family residential projects, no fee shall be charged and no escrow deposit shall be required, unless a stormwater pollution prevention plan is necessary. If a stormwater pollution prevention plan is required for such a project, an escrow deposit shall be required at 1% of the total project value. The total project value shall be calculated by the actual purchase price of the land or the fair market value of the land (determined by assessed value divided by equalization rate), whichever is higher, plus the cost of all required site improvements, not including the cost of buildings and structures, as determined with reference to a current cost data publication in common use.
- (2) For three or more family residential projects, the escrow deposit shall be 1% of the total project value. The total project value shall be calculated by the actual purchase price of the land or the fair market value of the land (determined by assessed value divided by equalization rate), whichever is higher, plus the cost of all required site improvements, not including the cost of buildings and structures, as determined with reference to a current cost data publication in common use.
- (3) For commercial and industrial construction projects, the escrow deposit shall be 1/4 of 1% of the total project value. The total project cost shall be calculated on the actual purchase price of the land or the fair market value of the land (determined by assessed value divided by equalization rate), whichever is higher, plus the cost of supplying utility service to the project, the cost of site

preparation and the cost of labor and material, as determined with reference to a current cost data publication in common use.

- (4) For projects involving the extraction of minerals, the escrow deposit shall be 1% of the total project value. The total project value shall be calculated on the cost of site preparation for mining. Site preparation cost means cost of clearing and grubbing and removal of over-burden for the entire area to be mined plus the cost of utility services and construction of access roads. Such costs are determined with reference to a current cost data publication in common use. For those costs to be incurred for phases occurring three or more years after insurance of a permit, the value of project value shall be determined using a present value calculation.
  - (5) At the discretion of the reviewing Board or Code Enforcement Officer, as applicable, for projects governed by Subsection A(2), (3) and (4), an additional escrow amount shall be deposited to cover the expense of reviewing a stormwater pollution prevention plan, if one is required. The amount of such additional escrow amount shall be up to 1% of the total project value, as defined in the applicable subsection, to be determined at the reviewing Board or Code Enforcement Officer's discretion.
- B. The applicant shall be provided with copies of any voucher for such services as they are submitted to the Village. The professionals employed by the Village shall report monthly to the Village Treasurer as to the monetary value of their services rendered on each project.
  - C. When the balance in such escrow account is reduced to 1/3 of its initial amount, the Village Treasurer shall advise the applicant and the applicant shall deposit additional funds into such account to bring its balance up to the amount of the initial deposit. If such account is not replenished within 30 days after the applicant is notified, in writing, of the requirement for such additional deposit, the reviewing Board or Code Enforcement Officer may suspend its review of the application. An application shall be deemed incomplete if any amount shall be outstanding.
  - D. A building permit or other permit being sought shall not be issued unless all professional review fees charged in connection with the applicant's project have been reimbursed to the Village from said escrow account.
  - E. All fees required pursuant to this article shall be collected by the Village Treasurer.
  - F. This article shall be applicable to applications pending at the time it shall become effective, unless the reviewing Board shall determine that its application would be impracticable, unfair or unjust in the particular circumstances. Where this article shall be applicable to a pending application, it shall, in such event, require an applicant only to pay for professional fees for the services rendered after it shall have become effective.

**Section 3.** Separability

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

**Section 4.** Repealer

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**Section 5.** Effective Date

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Village Water Consumption for : Apr-23

Read dates:	Binghamton meter	Fenton Large	Fenton Small
5/1/2023	6223	35575288	6838933
3/31/2023	6223	35340569	6725243
Usage	0	301488	97430

Total cubic ft: 398918

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Read dates:	Town of Fenton Sewer Readings
3/31/2023	53375900
3/31/2023	53305400

Total 70500 cu. ft.

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Read dates: Wayne Ave. sewer station readings (hours):

	Pump1	Pump 2	Pump 3
5/1/2023	6769	19744	17828
3/31/2023	6748	19679	17828
Totals	21	65	0

Total hrs. 86



The Village of Port Dickinson  
 Department of Police  
 Scot McDonald, Chief of Police

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**Police Department Monthly Report**

Report Month:	<b>March</b>	Police Commissioner:	<b>Trustee J. DeGennaro</b>
Report Year:	<b>2023</b>	Chief:	<b>Scot McDonald</b>
Report Date:	<b>04/17/2023</b>	Deputy Village Clerk:	<b>Corina M. Beames</b>

**Total Complaints Received:70 (79)**

- Med calls-4
- Building checks-3
- PDFD-2
- Check welfare-5
- Fight-1
- Domestic-1
- Dispute-2
- Mental health-1
- Suspicious-3
- MVA(PD)-1
- Persons annoying-1
- Assistance rendered-2
- DV-2
- Civil matter-1
- 911 hang up-1

**Miscellaneous-42** *\*Includes Assist other agencies, Lockouts, Alarms, Alternate street Parking warnings and tickets., Animals, Traffic lights, Information, code enforcement, special details, vacant properties , and Etc.*

Penal law aresst-1



The Village of Port Dickinson  
Department of Police  
Scot McDonald, Chief of Police

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**Police Department Monthly Report**

Report Month:	<b>April</b>	Police Commissioner:	<b>Trustee J. DeGennaro</b>
Report Year:	<b>2023</b>	Chief:	<b>Scot McDonald</b>
Report Date:	<b>05/02/2023</b>	Deputy Village Clerk:	<b>Corina M. Beames</b>

**Total Complaints Received:46 (70)**

Med calls-1  
Assist PDFD-3  
Burglary-1  
Check welfare-6  
Civil matter-2  
Domestic-1  
Dispute-1  
Disturbance-1  
Mental health-2  
Suspicious-4  
Police information-2  
Found property-4  
Persons annoying-3  
Assistance rendered-1  
Shots fired(non-econ)-1  
Court warrant service-1  
911 hang up-1

**Miscellaneous-10** \*Includes Assist other agencies, Lockouts, Alarms, Alternate street Parking warnings and tickets., Animals, Traffic lights, Information, code enforcement, special details, vacant properties , and Etc.

Report of the Chief  
April 2023



TRAINING

SUMMARY	Training Hours Offered	Average Members Present	Total Man Hours
April	6	7	36
YTD Totals	28	6.635	195
Non Department 35 Training YTD	8		31

Wk	Date	Lesson	Training Hours Offered	Members Present	Total Man Hours
	4/3/2023	Quarterly Truck Checks/Vehicle Maintenance	2	7	14
	4/10/2023	Monthly Meeting		10	0
	4/12/2023	LDH Hose Testing	8	2	16
	4/17/2023	Tour of BC Dispatch Center	2	7	14
	4/24/2023	Small Diameter Hose Testing - Rack	2	4	8

Report of the  
CHIEF  
April 2023



ALARMS		RESPONSE		TIMES	
Fire	16	Avg Members Response (F)	2.29	Med Avg	1
EMS	1	Avg Alarm to Response	7.20	0700-1500	5
		Avg Alarm to Arrival	11.10	1500-2300	11

**Alarms**

<b>Total</b>	<b>17</b>	Total Time in Service (hh:mm)	6:45	2300-0700	1
MUTUAL AID		LOCATION		DOLLAR LOSS/VALUE	
Given	10	Village of Port Dickinson	5	Fire Loss	
Received	4	Town of Dickinson	4		
Engine 94		Town of Fenton	7	Property Saved	
No Tone		Town of Chenango	1		
		Town of Kirkwood			
		City of Binghamton			
		Other			
			CASUALTIES		YTD
		Fire Service Injured	0		
		Fire Service Death	0		
		Civilian Injured	0		
		Civilian Death	0		

CODE	DESCRIPTION		YTD	CODE	DESCRIPTION		YTD
111	Building Fire			440	Electrical/Wiring Problem	2	2
114	Chimney Fire			444	Power Line Down		
131	Passenger Vehicle fire			4441	Power/Cable Line Down		
142	Brush Fire	3	3	445	Arcing electrical equipment	1	1
150	Outside Rubbish Fire			520	Water Problem, other		1
212	Overpressure Steam Boiler			550	Public Service Assistance		
311	Medical Assist, Assist EMS		1	571	Standby/Moveup	1	1
3001	EMS Incident, No Response		10	611	Dispatched, Canceled enroute	3	8
321	EMS Incident, Except MVA		3	651	Smoke Scare, Odor of Smoke		
322	MVA w/ Injury			700	False Call, False Alarm, Other		
323	Vehicle vs Ped Accident			714	False Alarm - Malicious		
324	MVA w/out Injuries			735	Alarm Activation - Malfunction		1
350	Rescue/Extrication, other			740	Unintentional Alarm	1	2
355	Confined Space Rescue			745	Alarm Activation - Unintentional	2	5
4001	Tree down, no wires	1	1	746	CO Alarm Activation, No CO		
412	Gas Leak (NG or LPG)			800	Severe Weather, other		
4121	Gas Leak, no leak found	1	1	813	Windstorm Assessment		
424	Carbon Monoxide Incident	2	2		<b>TOTAL</b>	17	42